

EXHIBIT 51

**REDACTED VERSION OF
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SEALED**

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC

Plaintiff,

vs.

Case No. 17-cv-00939-WHA

UBER TECHNOLOGIES, INC.;

OTTOMOTTO, LLC; OTTO

TRUCKING LLC,

Defendants.

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEO DEPOSITION OF DANIEL GRUVER

San Francisco, California

Friday, August 4, 2017

Volume II

REPORTED BY:

REBECCA L. ROMANO, RPR, CSR No. 12546

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VIDEO DEPOSITION OF DANIEL GRUVER, taken
on behalf of the Plaintiffs, at Quinn Emanuel
Urquhart & Sullivan, LLP, 50 California Street,
22nd Floor, San Francisco, California, commencing
at 9:12 Friday, August 4, 2017 before
Rebecca L. Romano, Certified Shorthand
Reporter No. 12546

1 January of 2016. 12:18

2 Q. Early or late January?

3 A. Probably late, because I -- I think late.

4 I forgot.

5 Q. Do you remember if you left Google before 12:18
6 or after Mr. Levandowski?

7 A. I left before him.

8 Q. Okay. And I think this was covered in
9 your last, but why did you decide to leave Google?

10 A. Combination of reasons related to 12:18
11 projects structure, commute, work-life balance, and

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 A. I don't know if I'd describe it that way,
but I was -- I --

Q. That was generally the result of you 12:19

1 leaving, though, right? 12:19

2 A. That -- correct.

3 Q. Okay. Did you discuss the valuation of
4 Chauffeur as part of the Chauffeur bonus plan with

5 Anthony Levandowski? 12:19

6 A. At any specific time?

7 Q. At all.

8 A. Probably.

9 Q. What did you and Mr. Levandowski discuss
10 about the Chauffeur bonus plan? 12:20

11 A. I don't recall specifically.

12 Q. Can you -- sitting here today, can you
13 tell me anything that you and Anthony Levandowski
14 discussed regarding the Chauffeur bonus plan?

15 A. No. 12:20

16 Q. Okay. Sitting here today, did
17 Mr. Levandowski ever tell you that he was concerned
18 he was not going to get his bonus?

19 A. He expressed concern, after we both left
20 Google, about the delivery of what I'd call the 12:20
21 [REDACTED] bonus.

22 Q. When did he express this concern?

23 A. Around the time that -- because I left
24 Google before him, and the supposed process was
25 that [REDACTED] of our bonus would be 12:21

1 bonus plan -- 12:22

2 A. Uh-huh.

3 Q. -- so you are familiar with the Chauffeur
4 bonus plan then, right?

5 A. Yes, I am. 12:22

6 Q. Okay. I just want to go over some of the
7 basics.

8 There was this idea of [REDACTED]
9 in Project Chauffeur, right?

10 A. Yes. 12:22

11 Q. And there would be a valuation of Project
12 Chauffeur as if it were a company, right?

13 A. Yes.

14 Q. And then the bonuses would be tied to
15 some percentage of that valuation; is that fair? 12:22

16 A. Correct.

[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] 12:23

12:24

[REDACTED]

[REDACTED]

[REDACTED]

4 Q. Okay. And how did you express to Google
5 your -- your performance for purposes of -- of 12:25
6 input into this plan?

7 A. There's a process that I believe is
8 referred to as "perf," for performance, I think.
9 And so you would write personal evaluations and
10 solicit evaluations from peers. 12:25

11 Q. As part of this process, would you --
12 would you talk to anyone outside of Google?

13 A. About?

14 Q. Your performance.

15 A. In order to have your performance 12:25
16 evaluated?

17 Q. Right.

18 A. I believe the performance evaluation was
19 specifically determined by employees of Google.

20 Q. Okay. Now, going back to your 12:25
21 discussions with Mr. Levandowski, the discussions
22 you had with him where he was expressing concern,
23 that was after he had left and you had left as
24 well?

25 A. Correct. 12:26

A. I don't remember the origin of the conversation, but it was in line with him asking me if I had received the second distribution, and me saying that I hadn't.

12:26

12 And then at some point after I had, I had
13 confirmed to him that I had received the second
14 payment.

18 A. Not that I recall.

The image shows a terminal window with a black background. It contains 8 horizontal bars, each made of black segments and red circular markers. The bars are arranged vertically. The first bar has 3 segments. The second bar has 2 segments. The third bar has 1 segment. The fourth bar has 1 segment. The fifth bar has 2 segments. The sixth bar has 2 segments. The seventh bar has 2 segments. The eighth bar has 1 segment. The time '12:27' is displayed in the bottom right corner.

12:29

06:40

06:41

06:43

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

10 Q. (By Mr. Muino) But you're aware that in 06:43
11 this case Waymo alleges that Mr. Levandowski
12 downloaded and stole certain files from Waymo?

13 A. I'm aware of the allegations.

14 MR. JAFFE: Objection. Leading.

15 Q. (By Mr. Muino) At any point after the 06:44
16 lawsuit was filed, do you recall a -- a meeting of
17 Uber employees on the subject of the litigation?

18 A. Yes.

19 Q. What was the first meeting that you
20 recall of that kind? 06:44

21 A. There was a meeting attended by Anthony,
22 Travis and I believe Angela, the head counsel for
23 Uber, discussing what we could expect next
24 potentially and Uber's stance on it.

25 And there was discussion of our LiDAR 06:44

1 systems to date that we had developed and kind of 06:44
2 present them to ATG as sort of a -- a -- a kind of
3 presentation of what we had done and showing the
4 expansive of work it had taken us to get to the
5 progress we made to that point. 06:44

6 Q. At that meeting did Mr. Levandowski
7 address the allegations that he had taken files?

8 MR. JAFFE: Object to form. And leading.

9 THE DEPONENT: I don't recall
10 specifically what he said about -- about addressing 06:45
11 the files or -- about them.

12 Q. (By Mr. Muino) Okay. Apart from that
13 meeting, were there any other meetings that you
14 recall at which Mr. Levandowski addressed the
15 subject of the litigation? 06:45

16 A. I don't recall specific meetings or
17 subjects of them.

18 MR. MUINO: Okay. No further questions.

19 THE VIDEOGRAPHER: Going off the record.

20 The time is 6:45. 06:45

21 (Recess taken.)

22 THE VIDEOGRAPHER: We are back on the
23 record. The time is 6:59.

24 MR. MUINO: Before you start, Counsel, I
25 just want to mark the record highly confidential, 06:59

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1 I, Rebecca L. Romano, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:

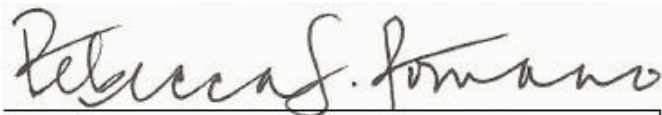
4 That the foregoing proceedings were taken
5 before me at the time and place herein set forth;
6 that any witnesses in the foregoing proceedings,
7 prior to testifying, were administered an oath;
8 that a record of the proceedings was made by me
9 using machine shorthand which was thereafter
10 transcribed under my direction; that the foregoing
11 transcript is true record of the testimony given.

12 Further, that if the foregoing pertains to the
13 original transcript of a deposition in a Federal
14 Case, before completion of the proceedings, review
15 of the transcript [] was [X] was not requested.

16 I further certify I am neither financially
17 interested in the action nor a relative or employee
18 of any attorney or any party to this action.

19 IN WITNESS WHEREOF, I have this date
20 subscribed my name.

21
22 Dated: August 5, 2017

23 
24

Rebecca L. Romano, RPR,
25 CSR. No 12546